

RCE/2806 4

PTO/SB/30 (01-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Request For Continued Examination (RCE) Transmittal

Address to:
Commissioner for Patents
Box RCE
Washington, DC 20231

Application Number	09/806/704
Filing Date	06/27/2001
First Named Inventor	ADALBERT BANDEMER
Art Unit	2878
Examiner Name	STEPHEN K. YAM
Attorney Docket Number	7372 US

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application.
Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

- a. ☒ Previously submitted
- i. ☒ Consider the amendment(s)/reply under 37 CFR 1.116 previously filed on _____
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Rely Brief previously filed on _____
- iii. ☐ Other _____
- b. ☒ Enclosed
- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other ADDITIONAL ARGUMENTS

2. Miscellaneous

- a. ☒ Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of 3 months. (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(i) required)
- b. ☐ Other _____

3. Fees

- The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- The Director is hereby authorized to charge the following fees, or credit any overpayments, to
- a. ☐ Deposit Account No. _____
- i. ☐ RCE fee required under 37 CFR 1.17(e)
- ii. ☐ Extension of time fee (37 CFR 1.136 and 1.17)
- iii. ☐ Other _____
- b. ☒ Check in the amount of \$ 750 enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	<u>RICHARD J. LAUGHLIN</u>	Registration No. (Attorney/Agent)	<u>17,264</u>
Signature	<u>[Signature]</u>	Date	<u>8/12/2003</u>

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	<u>Ellen Castelli</u>	Date	<u>8/14/2003</u>
Signature	<u>[Signature]</u>		

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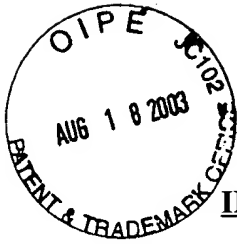
This collection of information is required by 37 CFR 1.114. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. **SEND TO: Commissioner for Patents, Box RCE, Washington, DC 20231.**

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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Docket No. 7372 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Ser. No. 09/806,704	:	Art Unit 2878
	:	
Applicant: ADALBERT BANDEMER and	:	Examiner Stephen K. Yam
DIETER PALME	:	
	:	
Filed: June 27, 2001	:	
	:	
FOR: System and Method for Monitoring the	:	
Performance of Dense Wave-Length	:	
Division Multiplexing Optical	:	
Communications Services	:	

AMENDMENT AND ADDITIONAL ARGUMENTS ON PATENTABILITY

Commissioner for Patents
PO Box 1450
Alexandria VA 22313-1450

Dear Sir:

Applicants have filed a Request for Continued Examination (RCE). The purpose of this paper is to present additional claims and arguments to supplement the arguments presented in the Final Amendment.

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks/Arguments begin on page 9 of this paper.